

CLARK COUNTY LAW LIBRARY

Board of Trustees Annual Report

2004

Introduction

The Clark County Law Library Board of Trustees presents this 2004 Annual Report, as required by RCW 27.24. This Report is based on information supplied by Maria Sosnowski, Law Librarian. This Annual Report covers the period from January 1, 2004 through December 31, 2004.

The Clark County Law Library strives to provide access to legal information to all patrons who come through the door. The Library offers personal, professional assistance without any strings attached. Our mission is to ensure that the Clark County Law Library provides a community resource for access to justice for people of any age, income, or educational level.

We invite your comments and cooperation. Please feel free to contact members of the Board, or Law Librarian Maria Sosnowski to share your thoughts about the Library.

Who the Library Serves

The general public is the largest user group in the Law Library. During 2004, 85% of the reference questions answered in the Library came from members of the public. Two paralegal programs (Clark College and Western Business College) use the Library to teach their students legal research.

The Library also serves 14 judges, a magistrate, 3 court commissioners, 500 or more Clark County attorneys as well as attorneys from other counties and Oregon. The Library also provides reference services to inmates in the Clark County Jail and provides interlibrary loan services to other libraries on an as-needed basis.

Collection

As of December 31, 2004, the Clark County Law Library had approximately 19,000 volumes, 1,000 supplements and advance sheets not attached to individual volumes, and 7,000 microfiche. The Library also has Washington State Supreme Court Briefs, individual local court rules, and the periodical Jury Verdicts Northwest.

The Law Library currently subscribes to Shepard's citations and Westlaw, two on-line legal databases. Westlaw has databases for Oregon, Washington, the 9th Circuit, and various secondary source materials. Shepards offers the ability to check to see if a cited case is still good law.

Currently, 23 books are on the missing book list. This does not include missing books that have been replaced, or outdated items that would have been discarded due to age. The Library has been able to replace several missing items at no cost from various listserves that the Librarian belongs to.

Financial and Legislative Strategies

The Law Library has been working to increase and stabilize funding for several years. Beginning in 1999, the Librarian has been involved in an effort by the Washington Association of County Law Libraries to help pass legislation that would increase funding for county law libraries. During the 2004 session, the librarians dropped our efforts on our own bill and instead supported a bill that would increase filing fees, with a portion of that increase slated for law libraries. That bill did not pass. The law librarians plan to go forward with our own funding bill again in 2005, and the filing fee increase bill will also be on the agenda in 2005 as well.

Unlike most county law libraries in Washington, the Clark County Law Library is not in the county budget and does not receive funds from the county. They do provide indirect support such as payroll, computer, and administrative services.

In 2004, the Law Library cut materials during the year to ensure that our expenses would not exceed our budget. We started selling an eviction packet in late 2003, and during 2004 added a new garnishment packet, and an eviction defense and contempt of court packet. The Library continues to charge attorneys for after hours access keycards. With the addition of the form packets, the Library has been able to increase self-generated revenues to about 8% of our total budget. As recently as 2001, our self-generated revenues were less than 1% and came only from copier revenues. While the Library is always considering additional ways to generate revenue, we are fairly limited in the options available.

The Library has also taken advantage of opportunities to sell old volumes. Certain

materials, which in the opinion of the Librarian would be likely to sell, are listed for bid. This allows the Library to raise a nominal amount of money from items that would otherwise be discarded.

Donations

The Clark County Bar Association's Law Library Committee set up a sponsorship and donation program in 2003. Each year, a letter goes out to the membership in the CCBA newsletter, letting them know about our sponsorship program and asking for monetary donations. The Law Library also accepts book donations if they are materials that the Library can use or materials which are likely to sell.

During 2004, the Library received \$550 total in cash donations from James Ladley and Steven Busick. We also received roughly 300 volumes from the Landerholm firm, 45 volumes of Washington Reporter from Carole Luckett, two criminal CLEs from Perry Buck, and Martindale-Hubbell volumes from Stoel Rives.

Through one of the listserves that the Librarian belongs to, the Law Library was also able to acquire a set of West Supreme Court Reporter for just the cost of shipping. This is a set that would have cost over \$4,000 to purchase new. Missing volumes are also sometimes replaced via listserves, enabling the Library to replace items that it cannot afford to purchase.

Library Improvements – Books and Print Materials

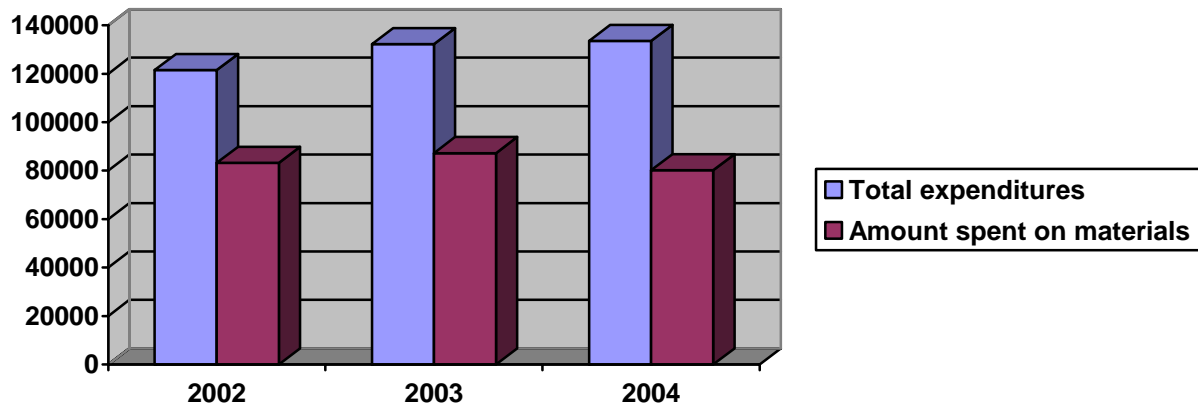
Due to the escalating costs of maintaining the sets that we have, the Library has been unable to make new acquisitions unless they are very low cost or from the Washington State Bar Association. The only titles added in 2005 were Fair Debt Collection, Weiner on Appeals, and the 2004 Master Tax Guide. The Library also continues to purchase nearly all of the new Continuing Legal Education books from the state bar or the Washington State Trial Lawyers Association (we bought 48 during 2004) and all of the Washington State Bar Association Deskbooks. This year we also purchased a new Employment Law Deskbook from the Washington State Trial Lawyers Association. We continue to receive free CLEs from the Clark County Bar Association.

The Library also continues to receive state Supreme Court briefs from the State Law Library, and Jury Verdicts Northwest/Northwest Arbitration from the Superior Court Administrator.

The Library has historically spent between 60 and 75% of its total annual expenses directly on materials. This compares favorably with other county law libraries, which generally spend a smaller percentage on materials. For example, King County Law Library spent 38% of

its annual expense on materials, Skagit County spends about 50%, and Snohomish County spends about 45%. Figure 1 shows the relation between the amount spent on materials and our total budget.

Figure 1: Total Revenue and Amount Spent on Materials 2002 - 2004



Library Improvements – Database and Computer

The Library offers internet-based Shepards and internet-based Westlaw. The Westlaw subscription includes Washington, Oregon, the 9th Federal Circuit, and some secondary materials. While the monthly cost is quite high, Westlaw offered a discount on various book titles along with the internet contract, which should bring our monthly net cost to a range we can afford. Westlaw is an attractive service to attorneys and is also regularly used by pro se patrons doing legal research, and is also used by the Librarian to assist patrons.

The Library now offers printing from the computers at 25 cents per page. This allows patrons to print materials they find on free websites as well as our paid subscription websites. Some of that material is not available in print in the Library. The Library purchased a printer that was capable of being networked, and is now used to print from the two public computers as well as the office computer. Printing revenues will offset the cost of the printer, paper and toner.

Library Challenges - Space

The Library has run out of space. All duplicative materials have been discarded. This year the Library discarded California Reporter, the Decennial Digests, and the first series of every regional reporter except Pacific. This was a total of roughly 2,000 books. All of the items were still useful, and were discarded only because there is no longer room to shelve them. Patrons have asked about the missing materials and are disappointed that they are no longer

available.

In addition, reporters are shelved on the very top shelf, which requires a ladder to reach. Some items are shelved where there is space, rather than where they should logically go, resulting in difficulty finding materials for those not very familiar with the collection.

The Library is now to the point of being forced to discard useful but lesser-used materials to make room for expanding reporter series. Space, as well as cost, is considered in deciding which items to add to or cut from the budget.

The main holding of the Law Library is case reporters. During the year, the Librarian discarded materials and shifted materials so that each reporter series has room for another 5 years of books. These reporter series are vital resources for the Law Library that would cause great hardship to the community if they were discontinued. The Law Library simply must have more space. In order to continue these series, we will have to stop getting other items, or throw out more materials that cost thousands of dollars to acquire in the first place.

Library Challenges - Finances

The Library is still experiencing disproportionate inflation in subscription costs. Most of our materials come from two vendors, and due to a series of mergers and acquisitions, many of the smaller publishers have disappeared. West Publishing accounted for 72% of the materials budget during 2004, and has had increases in prices ranging from 10 – 20% most years. We cut \$479 in materials from the 2004 budget and placed another \$1,500 on a five year renewal cycle to save costs. During the year \$3,438 in materials were sent back to the publisher, and another \$1,529 were cancelled. This resulted in a total of \$6,946 in materials eliminated from the 2004 expenses in order to save money and stay within our budget. Due to these selective cuts and returns during the year, the Library is able to avoid further cuts to the 2005 budget.

The result is that there are a number of sets in the Library which are no longer updated regularly, but instead are on a rotating 3 or 5 year cycle. There are also some sets that the Library maintains but due to the cost lack a current index. While this is not as desirable as having fully updated materials, it is one way the Library is trying to stretch our revenue.

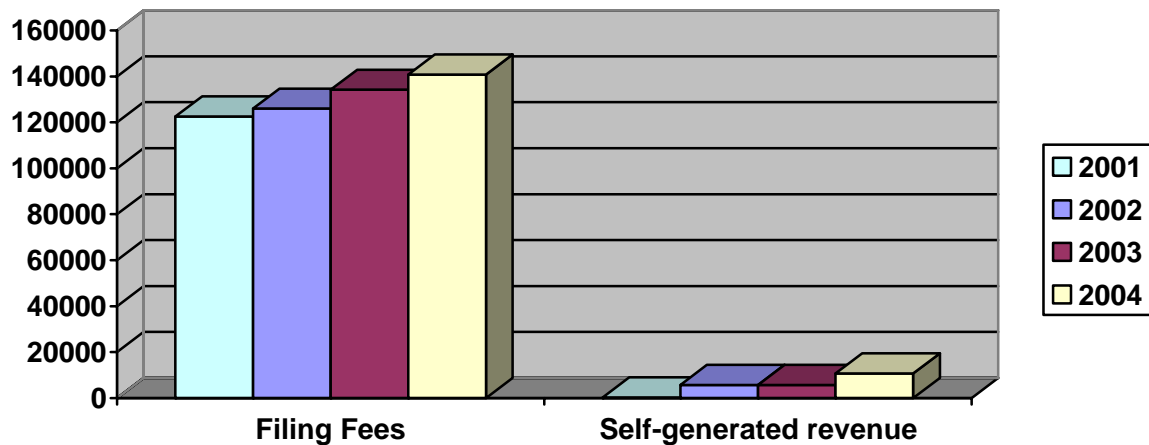
While Library revenue has historically increased only about 3% per year, Library expenditures have risen much more. Book costs increase average 10-20% per year. This means the Library has been unable to purchase new materials and had to make significant cuts to the collection to balance the budget for 2000 through 2004. Figure 2 on the next page shows the percentage increase in seven basic titles that the Library considers part of its core collection during the last two years.

Figure 2: Percentage Cost Increase of Basic Materials in the Library 2002 - 2004

Title	2002 cost	2003 cost	2004 cost	Increase
Federal Reporter volume	59.00	74.00	83.00	41%
Pacific Digest pocket parts	490.00	515.00	577.00	18%
Restatement pocket parts	510.00	561.00	629.00	23%
Shepards for Washington	577.00	784.00	830.00	44%
United States Code Annotated pocket parts	799.00	910.00	1,023.00	28%
Washington Code Annotated pocket parts	682.00	912.00	902.00	32%
Washington Digest pocket parts	294.00	310.00	347.00	18%

The Library has looked for means to increase revenue. In 2002 the Library began charging attorneys an annual fee for the privilege of having after hours access keycards. This raised \$4,653 in 2004. The Library also developed a garnishment packet in 2004, began selling contempt and eviction defense packets from public information, and has an eviction packet written by a local attorney. Gross revenues from these form packets were \$5,847 in 2004. With the keycards and form packets, the Library has been able to raise self-generated revenue from far less than 1% of the total budget in 2001 to 8% of the 2004 budget. (see Figure 3)

Figure 3: Law Library Income by Category 2001 - 2004



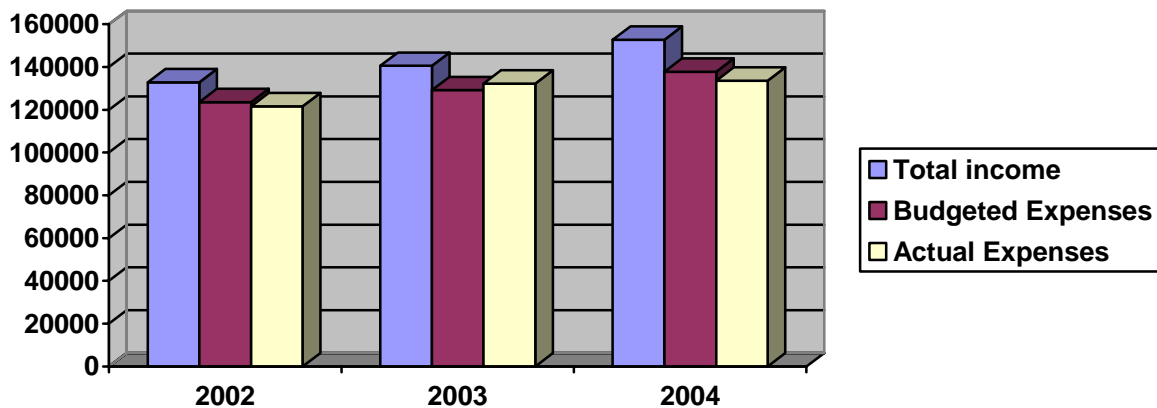
*Self-generated revenue includes revenue from after hours access keycard sales, a portion of copy card revenue, and revenues from the sale of form packets

The Law Library has begun to set aside a reserve account as a portion of each year's

budget, to pay for replacement of certain book sets in 3-5 year cycles. This allows the Library to save money because replacing the sets every few years costs less than updating them annually. However, this also means that these sets are no longer current.

The Library also maintains a reserve account to cover months when the Law Library is not credited for its share of filing fees on time, or to cover unexpected expenses such as equipment repair and replacement. As a result, our expenses have been kept below our income in order to allow our reserve account to grow. This also allows a cushion because in some years our expenses have exceeded our revenues.

Figure 4: Income and Expenses for 2002 - 2004



Meanwhile, there are no predictions for increased filing fee revenue. Library staff testified numerous times over the past several years to try to gain passage of a bill that would increase Library revenue, but so far those bills have not passed. During the 2004 legislative session, the county law librarians in the state decided not to advance our funding bill, but instead to support a bill that would slightly increase Law Library funding as part of another bill that would raise filing fees. That bill did not pass. The county law library funding bill will be submitted again in 2005.

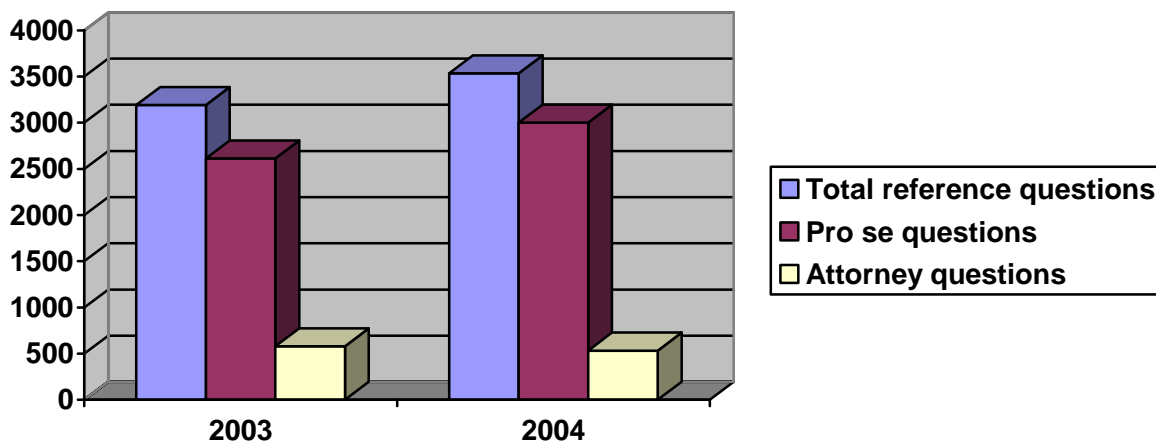
The County Bar Association has a Law Library Committee that has been working on trying to get law firms and individuals to sponsor various titles in the Law Library, and to increase awareness of the Law Library's need for donations. Due to their efforts, the Law Library received \$550 in cash donations in 2004. In addition, the Library also received donations of materials, some of which were added to the collection and some of which were sold to raise additional revenue.

Use Statistics

Reference and semi-reference questions

The Library answered 3,535 reference questions during 2004. This is an 11% increase in the number of reference questions from the 2003 report. In addition, there were numerous non-reference questions, which are not included in those numbers. Of the 3,535 questions, 3,002 of them came from pro se patrons (non-attorneys) with the rest coming from attorneys. Approximately 85% of the questions the Law Library helps with are from non-attorneys, and 15% are from attorneys. Figure 5 shows the increase in reference questions from 2003 to 2004.

Figure 5: Reference Questions 2003 – 2004 by Attorneys and Pro Se Patrons



Circulation

Non-reserve books may be checked out on the honor system by judges, lawyers, and county officials. During 2004, 595 items were checked out. One item was sent and 17 items received through interlibrary loan during this period. Due to the limited collection, the Library borrows far more than it lends. Nearly all of our interlibrary loans come from the State Law Library, due to their large collection and policy of not charging for this service.

Inmate Requests

During the period covered by this report, the Library received 11 documented inmate requests, many of which ask for multiple items to be copied.

The Law Library provides the county a service by answering these requests. Aside from a copy card purchased by the jail, the Library does not receive any county funding to pay for the time or materials to handle inmate requests.

Financial Report

The Law Library had an unusually good year for filing fee revenues in 2004, which, coupled with strong form packet sales, had our revenues exceeding projections by nearly

\$14,000. By maintaining our conservative approach to the materials budget, the Library came in under budget for expenses and over budget for revenues, allowing us to build up our reserve account. Figures 6 and 7 on the next page show a diagram of expenses and revenues as well as the actual numbers for each category.

Figure 6: Expenses and Revenues for 2004

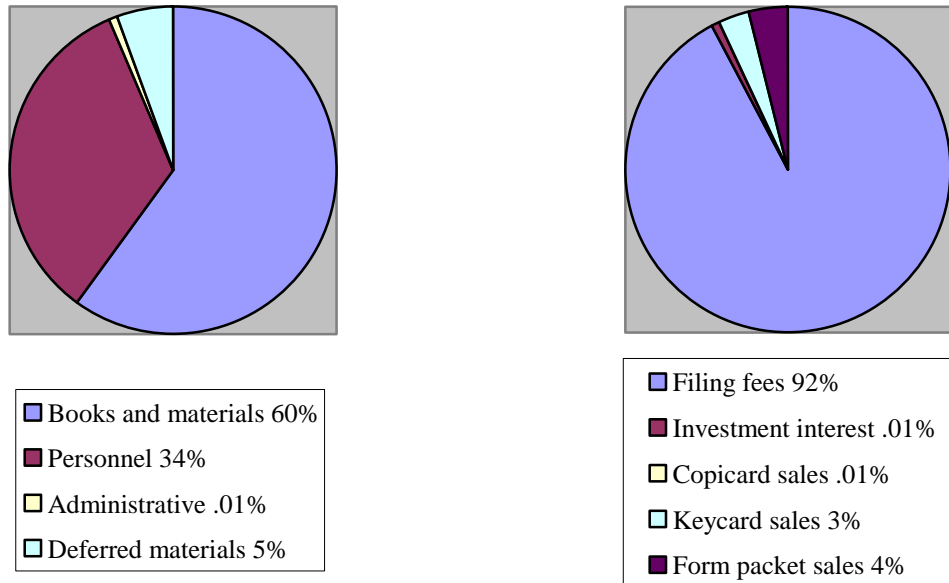


Figure 7: January – December 2004 Expense and Revenue Numbers

EXPENDITURES

Salary	\$30,098
Employee Benefits	11,383
Books & Supplies	80,145
Telephone	324
Temporary Employment	3,380
Computer Maintenance	579
Equipment	314
Furniture	0
Deferred items	3,403

REVENUES

District Filings	\$32,203
Superior Filings	108,569
Interest	1,152
Copico	253
Keycards	4,653
Form Packets	5,847

Reserve account	3,894		
<u>Total</u>	\$133,520	<u>Total</u>	\$152,677

Please note that our reserve account got too low and so for the 2003 and 2004 budget we have tried to be very conservative in order to ensure that the account increases a bit to a more comfortable level. Due to fluctuations in monthly expenses and revenues, as well as unexpected price increases or equipment costs, the Library needs to have a healthy reserve account. Also, since we started placing some items on a rotating update basis, we need to build up reserves for the future planned purchases to update the items. Some years filing fee revenues go up, sometimes they are about the same, and sometimes they actually go down.

Summary

During 2004, the Law Library continued its policy of conservative budgeting and aggressive materials acquisition policies, and ended the year with revenues in excess of expenditures. However, the Library continues to struggle with a lack of space and spiraling materials costs, which have negatively impacted the quality and extent of the collection.

For 2005, the Library will continue to focus on legislative attempts to increase funding, as well as increasing self-generated revenue. Each item that comes into the Library will be evaluated in terms of cost, space, and potential alternatives in order to offer the best possible collection within our limitations.

Submitted on behalf of the Board of Trustees by

Judy Zeider, Chair

Date